REMARKS

By the above actions, the specification and claim 1 have been amended. Additionally, appended to this Amendment is a set of replacement drawings. In view of the actions taken and the following remarks, reconsideration of this application is now requested.

At the outset, the Examiner's allowance of claims 16 and 17 as well as his indication of allowable subject matter with respect to claims 7-9 have been noted with appreciations. However, since currently amended claim 1 is also believed to be allowable, no action is being taken at this time to place claims 7-9 in independent form.

With regard to the restriction requirement, applicant hereby acknowledges the election of Group I and the resultant withdrawal of claims 14 and 15. Should the presence of these claims be the only obstacle to issuance of this application, they may be canceled by Examiner's Amendment subject to applicant's right to file a divisional application relative thereto.

The drawings were objected to for failing to show the motor of claims 1 and 16. The appended replacement drawings add a schematic representation of a motor which is designated 3a in the figures and in the specification as amended above.

Claims 1-6 and 13 stand rejected under 35 U.S.C. § 102 as being anticipated by the disclosure of the Rogers, Jr. et al. patent (hereafter referred to as "Rogers"). In this regard, it is noted that the Rogers patent is described in paragraphs [0003] to [0009] of the present application

As noted in the cited paragraphs, Rogers' lock has a manual adjustable operating lever, and a symmetrical configuration of the actuating element by which the actuating element can be moved into the "nearest" initial position by manually moving the operating lever. Furthermore, manual movement of the operating lever from a first operating state into a second operating state and vice versa is possible without moving the actuating element when the actuating element is in the initial position. Additionally, the actuating element of the motor vehicle door lock has a guide tracks and the operating lever has a journal which fits into the guide tracks. The number of guide tracks which corresponds to the number of initial positions. Two guide tracks at a time are connected to one another via a short, radially running, transverse section and the operating lever can be moved manually from the first into the second operating position and vice versa without moving the actuating element. If the drive locks in the position in which the journal is in a quadrant-shaped guide section, it is possible to manually move the operating lever, but the journal can move in the guide section only in one direction as a result of its shape.

It is the manual adjustability of the operating lever of the Rogers patent that the present application is intended to improve upon. To this end, as set forth in claim 1:

> the actuating element is movable by the manually resetting [of the operating lever] into a respective one of said initial positions ***in dependence upon which side of a turning point between tracks the actuation element is positioned***, at a first side of a turning point, the manual resetting causing the journal to remain in the first guide track, the actuating element being reset into said one of the initial positions, and at a second side of the turning point, said manual resetting causing the journal to move into the other of the two tracks, the actuating element being reset into another of the initial positions.

Thus, as described in paragraphs [0036] to [0038], when a fault condition is encountered, with the adjustment motion of the actuating element 3 not having completed (e.g., after failure of the motor during movement of the operating lever 2 from the first into the second state) manual resetting of the operating lever 2 into the first operating state with simultaneous movement of the actuating element 3 into the initial state occurs, depending on the position of the actuating element 3, in one of two manners. In the first manner, when the actuating element 3 is moved only slightly out of its initial position and the journal 7 has not yet reached a turning point 10, 11 which is formed by the guide tracks 5, 6 (Fig. 2 position), then the journal 7 remains in the respective guide track 5, 6 and runs back in. Manual rotation of the operating lever 2 around to the right moving from the illustration of Fig. 2 to the illustration of Fig. 1, in turn, leads to rotation of the actuating element 3 into the initial position (shown in Fig. 1) around to the left. In second mode, resetting takes place when the movement of the operating lever 2, at the instant the fault occurs, has already progressed past the indicated turning point 10, 11. In this case, the journal 7 is transferred to the other of the two guide tracks 5, 6 during manual resetting so that the actuating element 3 is moved into the other of the two initial positions.

Thus, the disclosed and claimed manual resetting is achieved by the present invention in an improved manner relative to that disclosed in the Rogers patent. The division of the track relative to the turning point and the movement of the actuating element in dependence upon the intermediate position of the operating element makes it possible to minimize the movement of the actuating element when manually resetting the operating lever. Such an operation is not possible with the lock of the Rogers patent which only allows movement of the actuating element in only one direction.

Therefore, on the basis of the foregoing, it should be apparent that the Rogers patent is not anticipative of the present invention, and in fact, does not even render it obvious. Accordingly, withdrawal of the outstanding rejection based upon the Rogers patent under § 102 is in order and is now requested.

The prior art that has been cited, but not applied by the Examiner has been taken into consideration during formulation of this response. However, since this art was not considered by the Examiner to be of sufficient relevance to apply against any of the claims, no detailed comments thereon are believed to be warranted at this time.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,

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